REMARKS

The foregoing amendments and these remarks are in response to the Office Action dated October 8, 2002 (the "Office Action"). As the three-month statutory period expires on January 8, 2003, this Amendment is timely filed within the three-month statutory period and no extension of time and no fee is required. Presently, claims 1 through 20 are pending in the application.

In the Office Action, claims 1, 3, 11 and 13 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,314,409 to Schneck et al. Additionally, claims 2, 4-5, 12 and 14-15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Schneck in view of U.S. Patent No. 5,432,934 to Levin et al. Finally, claims 6-10, 13 and 16-20 further have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Schneck in view of U.S. Patent No. 6,170,016 to Nakai et al.

The Applicant has carefully considered the Examiner's remarks set forth in the Office Action and, in response, the Applicant has amended claims 1 and 11 in order to clarify that "restricted access" as recited in the Applicant's claims refers more specifically to restricted access "to selected functionality in a document authoring, developing and distributing system". Moreover, the claims have been further clarified by way of amendment to explicitly state that access restrictions to the selected functions of the electronic document authoring, development and distribution system can be eliminated when the third party registers as a registered user of the electronic document authoring, development and distribution system. Thus, it will be apparent to

the Examiner that the process of the Applicant's claimed invention is a dynamic process which can occur during a document authoring session between the system and the third party.

In paragraph 1 of the Office Action, the Examiner has rejected each of claims 1, 3, 11 and 13 under 35 U.S.C. § 102(e) as being anticipated by Schneck. As outlined in the remarks to the Applicant's previous Amendment of July 11, 2002, Schneck relates to a method for controlling access to, and use and distribution of protected portions of data. Specifically, Schneck addresses the problem of the impermissible copying of digital data. In that regard, the Schneck method particularly addresses the reproduction of "electronic information" including the copying and distributing of large volumes of digital information over long distances as stated in column 3, lines 1 through 9 of the Schneck specification.

Notably, while Schneck relates to the restriction of copying protected data, Schneck does not similarly relate to the restriction of application functionality. More particularly, Schneck does not teach the disabling of application functions which can be re-enabled upon the registration of the end-user with the application. The Abstract of Schneck specifically states, "Access to the protected portions of the data is prevented." It is important to recognize in consequence of this statement what Schneck does not specifically state--namely that access to protected portions of an application is prevented. Hence, as Schneck only relates to the protection of data in an application, the technology of Schneck can be viewed as "static". Specifically, once the rules have determined that a use cannot copy data, the user is barred from copying the data.

By comparison, in the Applicant's invention, a user can be granted limited access to the features of a document authoring application. The limited access can be expanded to full access only when the user has registered with the application as a registered user. At that time, the previously disabled functions of the application can be re-enabled for use by the end user. In this way, the technology of the Applicant's invention can be viewed as "dynamic" as the functionality of the application can transition from restricted and limited, to full and unlimited during the course of the end user interacting with the application.

In sum, Schneck does not teach the restriction of third party access to functions of an application, and more particularly to functions of a document authoring, development and distribution system. Furthermore, Schneck does not disclose the dynamic process of first restricting access to the functions of the system, and subsequently granting access to the restricted functions only after the third party has registered with the system as a registered user. Accordingly, it cannot be said that Scheck anticipates the Applicant's invention as claimed. In consequence, the Applicant respectfully requests the withdrawal of the rejections under 35 U.S.C. § 102(e).

In paragraph 4 of the Office Action, claims 2, 4 through 5, 12 and 14 through 15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Schneck in view of Levin. Levin relates to the configuration of a user interface based upon access restrictions imposed upon individual users in a multi-user environment. In particular, Levin teaches the enabling and disabling of menu choices in the user interface. Importantly, the menu items of the Levin system relate specifically and exclusively to

menu items for manipulating objects in the workspace of the multi-user environment. In that regard, Levin does not teach disabling access to the underlying functionality of a computer program. Rather, Levin only teaches disabling user interface elements, and more particular--menu and non-menu items.

The Examiner has combined Schneck and Levin to support the proposition that the combination teaches each limitation recited in claims 2, 4, 5, 12, 14 and 15. Notably, claims 2, 5, 12 and 15 relate specifically to the disabling of system functions such as saving, copying and downloading. As will be apparent from a cursory inspection of the Levin reference, however, Levin fails to teach not only the disabling of these specific functions, but also Levin fails to teach the disabling of any application functions. Rather, Levin only teaches the disabling of user interface elements and not underlying functionality.

Claims 4 and 14 relate to the accepting and submitting of payment information during the registration of a potential customer. The combination of Levin and Schneck, however, do not discuss the registration of potential customers. Moreover, though submitting payment by credit card is and has been known in the art as noted by the Examiner, submitting payment by credit card in furtherance of registering a third party so as to eliminate access restrictions to the functionality of the system as recited in claims 1, 4, 11, and 14 neither are known in the art nor are recited in either of Schneck and Levin. Thus, it cannot be said that the combination of Schneck and Levin teach every element of the amended claims 1, 4, 5, 11, 14 and 15.

Finally, claims 6 through 10, 13 and 16 through 20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Schneck in view of Nakai. Nakai relates to a system for selectively requesting data from a content server based upon a prior accepted request, a monitored transmission rate, and a known transmission capacity. In particular, the Nakai system attempts to reconcile competing foreground and background processes when retrieving both cached and non-cached content.

Inasmuch as Nakai bears no relation to restricting access to the functionality of a system, the Examiner has cited Nakai only to support the dependent feature recited in the Applicant's claims 6 and 16 in which a customer can specify a URL which can be registered on the Internet and automatically associated with a Web page created using the system. Clearly, as neither Nakai nor Schneck make mention of registering a URL and associating the URL with a Web page, the combination of Nakai and Schneck cannot be said to teach the limitations recited in dependent claims 6 and 16. Moreover, as claims 7 and 17 relate specifically to submitting the URL to a search engine, Nakai and Schneck further do not recite the submission of URLs to search engines.

The Applicant's dependent claims 8 through 10 and 18 through 20 relate to the compensation of a third-party author who contributes Web assets to the system which are subsequently incorporated within a Web page produced by a customer of the document authoring, development and distribution system. Notably, neither Schneck, Nakai, nor any combination thereof addresses the use of Web assets in a Web page. Rather, Schneck relates strictly to the securing of data and Nakai teaches a method for

retrieving a Web page using a balanced use of foreground and background processing according to monitored transmission rates and known transmission capacity.

Previously, the Applicant had respectfully requested that the Examiner specify with particularity where in Nakai it is explicitly stated that third party authors can be compensated for the use of contributed Web assets in a Web page as recited in the Applicant's claims. In response, the Examiner stated that "compensating an author for the use of forming a Web page and crediting the authors account in return for the use of the web page is common practice in the art." The Applicant appreciates the Examiner's statement, but the Applicant's further question whether the same can be said of a "Web asset" used to form a Web page as explicitly recited in claims 10 and 20. In particular, the Applicant notes that the term "Web asset" has been defined distinctly from the term "Web page".

In any event, the Applicant must insist that the Examiner document with a reference which pre-dates the Applicant's invention which explicitly teaches, "for each Web asset used by a registered user in forming a Web page, identifying a third party author corresponding to the Web asset, and crediting the credit card account of the third party author in compensation for the use of the Web asset". The specified limitations of claims 10 and 20 define the scope of the Applicant's invention with respect to the dependent claim 10 and the dependent claim 20. Accordingly, for a reference to teach the limitations of claims 10 and 20, the reference must explicitly recite disclosure which can be fairly said to teach the limitations as recited in the claims.

Having amended claims 1 and 11, and having further reviewed both the cited references and the Examiners remarks, t is believed that each of claims 1 through 20 are allowable over the cited art. Hence, the Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. §§ 102(e) and 103(a). This entire application is now believed to be in condition for allowance. Accordingly, such action is respectfully requested.

Respectfully submitted,

Date: __1·8·03__

Steven M. Greenberg, Reg. No. 44,725
AKERMAN SENTERFITT
222 Lakeview Avenue, Suite 400
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: (561) 653-5000

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MARKED-UP AMENDED CLAIMS UNDER 37 C.F.R. § 1.121(c)(1)(ii)

1.   (Twice Amended)   A method for moderating external access to an electronic document authoring, development and distribution system comprising the steps of:

identifying a third party requesting access to said <u>electronic document authoring, development and distribution</u> system;

permitting restricted access to said third party to selected functions [in] <u>of</u> said <u>electronic document authoring, development and distribution</u> system; and,

eliminating all access restrictions to said selected functions in said <u>electronic document authoring, development and distribution</u> system which were imposed in said permitting step when said third party registers <u>as a registered user</u> [with] <u>of</u> said <u>electronic document authoring, development and distribution</u> system.

11.   (Twice Amended)   A computer apparatus programmed with a routine set of instructions stored in a fixed medium, said apparatus comprising:

means for identifying a third party requesting access to an electronic document authoring, development and distribution system;

means for permitting restricted access to said third party to selected functions [in] <u>of</u> said <u>electronic document authoring, development and distribution</u> system; and,

means for eliminating all access restrictions to said selected functions in said <u>electronic document authoring, development and distribution</u> system which were

imposed in said permitting step when said third party registers <u>as a registered user</u>

[with] <u>of</u> said <u>electronic document authoring, development and distribution</u> system.